

Remarks

Claims 1-30 are currently pending and claims 1, 2, 6, 7, 9, 13, and 20 have been amended while claims 22-30 have been added. Applicants assert that all claims are in condition for allowance as set forth more fully below.

Interview Summary

The undersigned participated in a telephone interview with the Examiner on June 17, 2005. During the interview, deficiencies in the Krishnan reference were discussed in relation to the present application. Namely, it was discussed how that the system of Krishnan does not utilize a remote resource manager that detects the resources of a set top box and then communicates information about those resources that have been detected to a remote location. It was further discussed that one or more of the claims would be modified to more clearly recite that the remote resource manager communicates about the resources to a remote location. Rejections under section 112 and possible amendments related thereto were also discussed.

112 Rejections

Claims 6, 7, 9, 13, and 20 have been rejected under 35 USC 112 for being indefinite. Claims 6, 7, 9, 13, and 20 have been amended to more clearly recite that a location remote from the STB is receiving, retrieving, and comparing. Furthermore, claim 9 has been amended to more clearly recite that the second item of information related to resources that the STB is expected to have. Accordingly the rejection of these claims may now be withdrawn.

102 Rejections

Claims 1-5 stand rejected under 35 USC 102(e) as being anticipated by Krishnan (US Pub 2003/0105679). Applicants respectfully traverse these rejections.

Amended claim 1 recites a set top box comprising a connection to a network adapted to receive content from the network, an output adapted to send a signal to a television, at least one resource, and a remote resource manager adapted to detect / sense

the resource and communicate information about the detected resource to a remote location. Krishnan fails to disclose each of these recitations.

Krishnan deals with a point of sale terminal using a set top box and is not concerned with a set top box detecting resources that it has and then communicating information about those resources to a remote location. To the contrary, Krishnan only communicates information related to the sales activities that are occurring. While Krishnan does disclose a set top box with various resources, there is no disclosure that upon being detected, information about the detected resources are communicated to the service provider head end 10 or elsewhere. Accordingly, Krishnan fails to disclose all of the elements of claim 1, and claim 1 is allowable over Krishnan for at least these reasons. Dependent claims 2-5 depend from an allowable claim 1 and are also allowable for at least the same reasons.

103 Rejections

Claims 6-17 and 20-21 stand rejected under 35 USC 103(a) as being unpatentable over Krishnan in view of Gazda (US Pat 6,453,470). Claims 18 and 19 stand rejected under 35 USC 103(a) as being unpatentable over Krishnan in view of Gazda and further in view of Perlman (US Pat 6,742,182). Applicants respectfully traverse these rejections.

These claims include recitations that involve the information regarding resources of a set top box (STB) being received from the STB such that the combination of references fail to disclose all of the elements. As a representative example, claim 9 recites method involving receiving at a location remote from the STB a first item of information sent from the STB, wherein the first item of information relates to the resources associated with the STB. Claim 9 further recites retrieving at the location remote from the STB a second item of information, wherein the second item of information relates to resources that are expected to be associated with the STB and comparing at the location remote from the STB the first item of information with the second item of information.

As discussed above in relation to claim 1, Krishnan fails to disclose an STB that sends information related to resources of the STB to a remote location such as the service provider head end 10. Furthermore, neither the Gazda reference nor the Perlman

reference disclose sending such information from the STB where it is received at a remote location. The Office Action has stated that the STB of Krishnan sends and receives information. However, this information being sent to and from the STB does not pertain to resources of the STB as recited in the claims such that the citation to Krishnan and in particular [0028] fails to adequately disclose such recitations. Accordingly, because the cited combination fails to disclose all of the elements, claims 6, 9, and 13 are allowable over the combination of references for at least these reasons.

Furthermore, none of these references disclose that a remote location compares a first item of information regarding resources of a set top box to a second item of information regarding resources that the set top box is expected to have. Krishnan involves no comparison and no resource information has been provided to a remote location. Any comparison performed in Gazda or Perlman is performed within the STB itself, as opposed to any remote location. Accordingly, claims 6, 9, and 13 are allowable over the cited combination for these additional reasons.

Dependent claims 7-8, 10-12, 14-30 depend from allowable base claims and are also allowable for at least these reasons. Furthermore, one or more of these dependent claims include additional features that are allowable over the cited combination. For example, the obtaining the second item of information about the resources the STB should have, as in claim 7, is not disclosed in Krishnan as Krishnan is not even concerned with resources of the STB. As other examples, the information or instructions regarding specific resources such as in claims 8, 14, 15, 15, and 17 are not disclosed by Krishnan. While Krishnan may disclose that an STB has resources, Krishnan does not disclose that information about such resources is sent to a remote location or that the remote location sends instructions regarding those resources back to the STB. Therefore, these claims are allowable for these additional reasons as well.

New claims 22-30

These claims provide additional features via new dependent claims and also provide for a computer readable medium providing instructions as supported by the flow diagram disclosed in FIG. 3 and the related discussion regarding the activities of the STB and the service provider. These claims include recitations similar to those discussed

above and are also allowable over the cited combination for those reasons discussed above.

Conclusion

Applicants assert that the application including claims 1-30 is now in condition for allowance. Applicants request reconsideration in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due beyond the fees for one extra independent claim and nine extra claims total. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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